

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/21/10 has been entered. Claims 1-2 and 7 have been amended. Claims 11-12 have been added. Claims 1-2, 6-9 and 11-12 are pending in the application.

Specification

The amendment to the specification to include sequence identifiers and the substitute sequence listing is acknowledged.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tanya Arenson on 11/1/10.

Please Amend the Claims as Follows:

1. (currently amended) An isolated oligonucleotide consisting of isolated
Oligodeoxynucleotides, presented in the General Formula: [General Formula]:

HKCGTTCTRTGTCSGM (SEQ ID NO: 1)

wherein, R represents A or G; S represents C or G; H represents A, T or C; K represents G or T; and M represents C or A.

2. (currently amended) ~~An isolated oligonucleotide consisting of isolated oligodeoxynucleotides, presented in the following General Formula, [General Formula]:~~
DKMHKCGTTCRTGTCSGMYK (SEQ ID NO: 2)
wherein, R represents A or G; S represents C or G; H represents A, T or C; K represents G or T;
D represents A, G or T; M represents C or A; M represents C or A; and Y represents C or T.

6. (currently amended) ~~The oligodeoxynucleotides oligonucleotide~~ according to any one of claims 1 and 2, wherein ~~the oligodeoxynucleotides oligonucleotide~~ have has a phosphodiester bond or phosphorothioate bond between the nucleotides.

7. (currently amended) ~~The oligodeoxynucleotides oligonucleotide~~ according to any one of claims 1 and 2, wherein ~~the oligodeoxynucleotides oligonucleotide~~ [[are]] is selected from the group consisting of 5'-AGCAGCGTTCGTGTGCGCCT-3' (SEQ ID NO: 3), 5'-AGCAGCGTTCGTGTGCGCCT-3' (SEQ ID NO: 4), 5'-AGCAGCGTTCATGTGCGCCT-3' (SEQ ID NO: 5), 5'-AGCAGCGTTCGTGTCCGCCT-3' (SEQ ID NO: 6), 5'-GTATTCGTTTCGTGTGTCCT-3' (SEQ ID NO: 7) and 5'-TGACTCGTTCGTGTGCGCATG-3' (SEQ ID NO: 8).

11. (Currently amended) A method for treating atopic dermatitis ~~or protecting normal immune cells when radiotherapy is applied~~, comprising:

administrating to a subject diagnosed with atopic dermatitis a composition comprising an isolated oligonucleotide ~~having consisting of~~ the nucleic acid sequence set forth in SEQ ID NO: 3 ~~selected from the group consisting of SEQ ID NOs: 1, 2 and 3~~ under conditions such that symptoms of atopic dermatitis are reduced.

12. (currently amended) A method for increasing viability of ~~protecting~~ normal immune cells when radiotherapy is applied, comprising: administering to a subject undergoing radiotherapy in need thereof a composition comprising an isolated oligonucleotide having consisting of the nucleic acid sequence set forth in SEQ ID NO: 3 ~~selected from the group consisting of SEQ ID NOs: 1, 2 and 3~~ under conditions such that viability of said subject's immune cells is increased in the presence of said oligonucleotide.

Status of Claims

All objections and rejections are withdrawn. Claims 1-2, 6-9 and 11-12 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUWATOSIN OGUNBIYI whose telephone number is (571)272-9939. The examiner can normally be reached on M-F 5:30 am- 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Duffy can be reached on 571-272-0855. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Oluwatosin Ogunbiyi/
Examiner, Art Unit 1645

/N. M. Minnifield/
Primary Examiner, Art Unit 1645